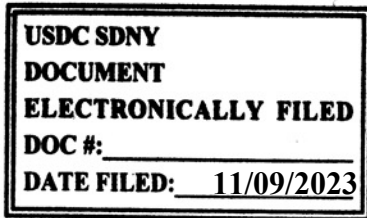


大成 DENTONS

Jonathan S. Jemison

jonathan.jemison@dentons.com
D +1 212-398-8488Dentons US LLP
1221 Avenue of the Americas
New York, NY 10020-1089
United States

dentons.com



November 9, 2023

VIA ECF

Katharine H. Parker, U.S.M.J.
U.S. District Court
500 Pearl Street, Room 750
New York, NY 10007

APPLICATION GRANTED: The Initial Conference set for **Thursday, November 16, 2023 at 2:30 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007** is hereby rescheduled to **Monday, January 29, 2024 at 11:30 a.m.**

APPLICATION GRANTED

A handwritten signature in black ink that reads "Katharine H. Parker".

Hon. Katharine H. Parker, U.S.M.J.

Re: *Nomodic Modular Structures, Inc. v. Nexus 1, LLC*, 23-cv-5271-GHW-KHP
Joint Request for Adjournment of Rule 16 Conference

11/09/2023

Dear Judge Parker:

This firm represents plaintiff Nomodic Modular Structures, Inc. ("Plaintiff") in this action. We write, jointly on behalf of Plaintiff and Defendant Nexus 1, LLC ("Defendant"), to request a 60-day adjournment of the Rule 16 Conference currently scheduled to proceed before Your Honor on November 16, 2023. This is the second request for an adjournment of this conference.

The parties seek another adjournment for two reasons. First, last month Plaintiff filed for bankruptcy in Canada. While the Trustee of the bankruptcy estate presently intends to pursue the claims in this action, the Trustee needs additional time to get up to speed on the matter in order to provide direction to counsel and otherwise put itself in a position to comply with discovery and other litigation obligations. Second, the prior adjournment request (ECF # 18) was premised on the fact Defendant was engaged in settlement negotiations with respect to separate litigation between it and non-party Nexii Business Solutions Inc. ("Nexii"), that, if consummated, likely would resolve this dispute. Defendant's counsel has represented that Defendant and Nexii have a tentative settlement agreement in place, and thus a short adjournment would afford additional time to allow that process to conclude and potentially avoid the unnecessary expenditure of client and judicial resources.

For these reasons, the parties requests a further adjournment of the Rule 16 conference. Alternatively, the parties would be amenable to the Court putting the case into an administrative suspension with a right to reopen the matter should that be necessary.

Respectfully submitted,

/s Jonathan S. Jemison

Jonathan S. Jemison

cc: William Katz, Esq.

Zaanouni Law Firm & Associates ► LuatViet ► Fernanda Lopes & Associados ► Guevara & Gutierrez ► Paz Horowitz Abogados ► Sirote ► Adepetun Caxton-Martins Agbor & Segun ► Davis Brown ► East African Law Chambers ► For more information on the firms that have come together to form Dentons, go to [dentons.com/legacyfirms](https://www.dentons.com/legacyfirms)

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